Independent Claims 1 and 22

We submit that neither the '096 publication nor Frost describe or suggest a method including receiving at least conjoint survey data concerning consumer experience with a brand and processing at least the conjoint survey data to produce marketing analytics, as recited in independent claim 1. Furthermore, neither reference discloses a method including accessing a system that is configured to process marketing analytics and provide a variety of selectable display choices, wherein the marketing analytics are based on at least conjoint survey data concerning consumer experience with a brand, as recited in independent claim 22.

Applicants specification states:

> The data source 18 may also include conjoint survey data 18a
> which is based on a statistical technique known as conjoint
> analysis. The technique is based on adapting questions based on a
> consumer's response over time. (Page 9, lines 15-18).

Applicants' use of the term is consistent with the well-accepted meaning of conjoint survey data as used by those of skill in the art. Neither the '096 application nor Frost disclose using data based on conjoint analysis in which questions are adapted based on customer's response over time. At best, the '096 publication discloses receiving **multiple** e-mail addresses of customers to be surveyed. As recognized by the Examiner, the '096 Publication discloses an example of a survey question that asks a customer which foods the customer likes from a list of 50 different foods. (See page 15, lines 18-20 of the '096 application) The customer can check 0-49 of these selections to create a multi-nominal that is typically stored as a Boolean vector. Although such a technique may represent an example of a survey, it is not equivalent to "conjoint survey data." It appears that the Examiner is construing "conjoint survey data" to mean multiple surveys, which we submit is inconsistent with any well-accepted meaning of that phrase.

Frost teaches a method of evaluating customer response that includes conducting interviews "survey" to obtain product and brand information and processing the product and brand information. (See column 7, lines 29-54 of Frost). This passage in Frost discloses techniques for conducting interviews. For example, Fig. 1 of Frost shows a system displaying automobiles requiring a user to select and evaluate each automobile. However, like the '096 publication, Frost's method of evaluation does not relate to using "conjoint survey" data as required by claims 1 and 22.

We submit that because claims 2-7 depends from independent claim 1 and claims 23-25 depend from independent claim 22, these dependent claims arepatentable for at least the same reasons that independent claims 1 and 22 are patentable.

Independent Claims 8, 15, 26, 30 and 34

We submit that neither the '096 publication nor Frost describe or suggest an apparatus including a processor coupled to a memory, wherein the processor is configured to receive data including at least conjoint survey data concerning consumer experience with a brand, as recited in independent claim 8. Furthermore, neither reference discloses an article including a computer-readable medium that stores executable instructions for causing a computer system to process data including at least conjoint survey data concerning consumer experience with a brand, as recited in independent claim 15. Similarly, neither reference discloses an apparatus including a processor coupled to the memory, wherein the processor is configured to access a system that is configured to process marketing analytics and provide a variety of selectable display choices, wherein the marketing analytics are based on conjoint survey data concerning consumer experience with a brand, as recited in independent claim 26. Neither reference discloses an article comprising a computer-readable medium that stores executable instructions for causing a computer system to access a system that is configured to process marketing analytics and provide a variety of selectable display choices, wherein the marketing analytics are based on conjoint survey data concerning consumer experience with a brand, as recited in independent claim 30. Finally, neither the '096 publication nor Frost describe or suggest a tool including an analytic engine for processing at least conjoint survey data regarding at least one brand and for grouping the processed data according to a plurality of marketing analytics, as recited in independent claim 34.

As discussed above in conjunction with claims 1 and 8, neither the '096 publication nor Frost provide any hint of using "conjoint survey" data as required by independent claims 8, 15, 26, 30 and 34. For that reason we submit that these independent claims are patentable over the Examiner's cited references.

We submit that because claims 9-14 depend from independent claim 8, claims 16-21 depend from independent claim 15, claims 27-29 depend from independent claim 26, claims 31-33 depend from independent claim 30, and claims 35-37 depend from independent claim 34,

these dependent claims arepatentable for at least the same reasons that independent claims 8, 15, 26, 30 and 34 are patentable.

In conclusion, applicants respectfully request withdrawal of the 35 U.S.C. § 103 rejections of claims 1-37.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: August 25, 2003

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